



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 28

**Agenda Date:** October 20, 2022

**In Control:** City Council A Session

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**DEPARTMENT:** Center City Development & Operations

**DEPARTMENT HEAD:** John Jacks

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

Amendment # 2 to the River Walk Lease Agreement with JCS Acquisition, Inc. d/b/a Joe's Crab Shack

**SUMMARY:**

This ordinance authorizes a second amendment to the River Walk Lease Agreement between the City of San Antonio and JCS Acquisition, Inc. d/b/a Joe's Crab Shack to continue utilizing the current River Walk patio space for an additional term of five (5) years, commencing on December 1, 2022, and expiring on November 30, 2027.

**BACKGROUND INFORMATION:**

Ordinance 2012-08-02-0549 authorized a five (5) year Agreement with Joe's Crab Shack-Texas, Inc. (a subsidiary of the Ignite Restaurant Group) for use of 98.87 square feet of River Walk Patio Space. The term of the agreement began on January 1, 2013. On March 29, 2018, through Ordinance 2018-03-29-0198, the City approved Amendment # 1 to the Lease Agreement with JCS Acquisitions, Inc. (a subsidiary of Landry's Inc.) d/b/a Joe's Crab Shack to extend the Agreement's

term from January 1, 2018 through November 30, 2022.

**ISSUE:**

This second amendment will extend the lease from December 1, 2022, to November 31, 2027. Approval of this ordinance is consistent with the City’s policy of leasing River Walk patio space to adjacent businesses for outdoor dining alongside the San Antonio River.

**ALTERNATIVES:**

The City may elect not to amend the Agreement, which would result in the Joe’s Crab Shack’s occupancy becoming at will or terminating.

**FISCAL IMPACT:**

Under this Amendment, Joe’s Crab Shack will pay a rate of \$3.08 per square foot per month effective December 1, 2022 and will increase 3% annually. The total amount to be received by Joe’s Crab Shack for the entire 5-year period is \$19,398.94 as summarized below:

<b>Year</b>	<b>Term</b>	<b>Monthly Amount</b>	<b>Annual Amount</b>
1	12/1/2022 – 11/30/2023	\$304.49	\$3,653.88
2	12/1/2023 – 11/30/2024	\$313.62	\$3,763.50
3	12/1/2024 – 11/30/2025	\$323.03	\$3,876.40
4	12/1/2025 – 11/30/2026	\$332.72	\$3,992.69
5	12/1/2026 – 11/30/2027	\$342.71	\$4,112.47

**RECOMMENDATION:**

Staff recommends approval of the Amendment #2 to the River Walk Lease Agreement between the City of San Antonio and JCS Acquisition, Inc. d/b/a Joe’s Crab Shack to extend the license term for an additional five (5) year period, beginning December 1, 2022, and ending November 30, 2027.